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16 **ELI LILLY AND COMPANY**

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 STATE OF CALIFORNIA <i>ex rel.</i> JAYDEEN)	Case No. 07-cv-04911-CRB
21 VICENTE and JAYDEEN VICENTE)	
22 Individually,)	Assigned to: Hon. Charles R. Breyer
)	
23 Relators,)	DECLARATION OF TIMOTHY T. SCOTT
)	IN SUPPORT OF REPLY IN SUPPORT OF
24 v.)	MOTION TO STAY
)	
25)	
26 ELI LILLY AND COMPANY,)	Date: December 7, 2007
)	Time: 10:00 a.m.
27 Defendant.)	Place: Courtroom 8, 19th Floor
)	

1 I, Timothy T. Scott, declare as follows:

2 1. I am an attorney with Sidley Austin LLP, counsel for defendant Eli Lilly and
3 Company ("Lilly") in the above-captioned matter, and admitted to practice before this Court. I make
4 this declaration in support of Defendant's Reply In Support of Motion to Stay All Proceedings
5 Pending Transfer By The Judicial Panel on Multidistrict Litigation ("Reply in Support of Motion to
6 Stay").

7 2. Attached hereto are true and correct copies of the following documents:

8 a. Exhibit A: Conditional Transfer Order to MDL No. 1596, entered October
9 23, 2007.

10 b. Exhibit B: Complaint in *State of Montana, ex rel. Mike McGrath, Attorney*
11 *General of the State of Montana v. Lilly*, 07-cv-01933-JBW-RLM (Doc. No. 4) (E.D.N.Y. May 30,
12 1997).

13 c. Exhibit C: State-Court Complaint attached to the Notice of Removal in *State*
14 *of New Mexico, ex rel., Patricia Madrid, Attorney General of the State of New Mexico v. Lilly*, 1:07-
15 cv-01749-JBW-RLM (Doc. No. 3) (E.D.N.Y. May 3, 2007)

16 I declare under penalty of perjury under the laws of the United States that the
17 foregoing is true and correct. Executed on this 21st day of November 2007 at San Francisco,
18 California.

19
20 /s/ Timothy T. Scott

21 Timothy T. Scott
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